



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

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OK

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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|-----------------|-------------|----------------------|---------------------|

09/303,518    04/30/99    SCARLATO    V    CHIR-0160

CHIRON CORPORATION  
INTELLECTUAL PROPERTY - R440  
P.O. BOX 8097  
EMERYVILLE CA 94662-8097

HM22/0905

EXAMINER

LUNDGREN, J

ART UNIT

PAPER NUMBER

1631

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DATE MAILED:

09/05/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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Washington, D.C. 20231

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| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
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| EXAMINER |
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| ART UNIT | PAPER |
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DATE MAILED:

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**Commissioner of Patents and Trademarks**

The reply filed on July 31, 2000, is not fully responsive to the prior Office Action because: this application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (i.e., errors in the CRF).

A CRF, fully compliant with the above stated rules, is required for any search and examination to proceed. As clearly stated in paragraph 4 of the Office Action mailed on May 26, 2000, a fully responsive communication will contain both a proper election of a group, and 10 sequences, as well as fulfillment of the sequence rules, as required. Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Jeffrey S. Lundgren whose telephone number is (703) 306-3221. The Examiner can normally be reached on Monday-Friday from 7:00 AM to 5:00 PM (EST).

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Dr. Michael Woodward, can be reached at (703) 308-4028.

Any inquiries of a general nature relating to this application should be directed to the Technical Center Receptionist whose telephone number is (703) 308-0196.

Papers related to this application may be submitted by facsimile transmission. Papers should be faxed to Group 1631 using (703) 308-0294. Please notify the Examiner of incoming facsimiles prior to sending papers to the aforementioned fax number. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG (November 15, 1989).

Jeffrey S. Lundgren, Ph.D.

  
JOHN S. BRUSCA, PH.D.  
PRIMARY EXAMINER